
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2019 - 2020 Regular Session

AB 3364 (Committee on Judiciary) - Judiciary omnibus

Version: August 3, 2020

Policy Vote: JUD. 9 - 0

Urgency: No

Mandate: Yes

Hearing Date: August 19, 2020

Consultant: Shaun Naidu

Bill Summary: AB 3364, the Judiciary omnibus bill, would make various changes, including clarifying existing law, deleting obsolete references, extending sunsets, and removing sunsets thereby indefinitely extending certain provisions of law.

Fiscal Impact:

- Courts: Unknown, potentially-significant workload cost pressures to the courts to adjudicate additional lawsuits filed by the Attorney General on their own authority that would not have been filed upon a complaint by the Department of Fish and Wildlife (DFW). While the superior courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources. For example, the Budget Act of 2020 appropriates \$273.8 million from the General Fund to backfill continued reduction in fine and fee revenue for trial court operations. (General Fund*)
- Department of Consumer Affairs: Unknown costs to make translations in the specified languages.
- Judicial Council: Minor and absorbable costs.
- Commission on Disability Access: Minor and absorbable costs.

*Trial Court Trust Fund

Background: On a biennial basis, the Assembly Committee on Judiciary authors an omnibus bill. The omnibus bill make various, noncontroversial changes to existing law with the purpose of increasing efficiencies in the legislative process, conserving legislative resources, and eliminating the need to unnecessarily hear a number of technical, clarifying, or modest stand-alone bills that might otherwise have to be introduced and require individual consideration by the Legislature.

Proposed Law: This bill, among other things, would:

- Allow the Attorney General to bring a civil action under their own authority in the name of the people of the State of California to enforce water pollution laws within the Fish and Game Code instead of upon a complaint by DFW. It also would require the Attorney General to notify DFW before bringing an action.
- Require, effective March 1, 2020, a specified notice be sent to tenants when a notice of sale is posted on the property that informs the tenant that foreclosure process has begun on the property and what rights the tenants may have under the law. The Department of Consumer Affairs would have to make available translations of the

notice, which may be used by a mortgagee, trustee, beneficiary, or authorized agent to satisfy the requirements of this provision.

- Clarify mandatory continuing legal education requirements related to implicit bias for attorneys.
- Clarify the Fair Employment and Housing Act related to military or veteran status to remove ambiguity in the existing law.
- Clarify that existing provisions related to property sales in high and very-high fire severity zones are not to be interpreted as limiting the ability of a state or local agency to enforce defensible space requirements.
- Update the requirements of a report from the Judicial Council to the Legislature to and modernizes various outdated cross-references.
- Clarify that a school district or community college district is included within the definition of “local agency” for specified purposes.
- Specify that a debtor seeking to stop the collection of a debt incurred as a result of identity theft can provide the debt collector with a copy of a theft report published by the Federal Trade Commission, among other documentation.
- Include limited liability companies within the list of corporate entities that must designate one or more officers, directors, managing agents, or other persons who are familiar with its property and debts to appear and be examined.
- Restore an erroneously-deleted provision of law and correct outdated cross references to reflect the proper procedure for submitting demand letters and other documents related to disability access claims to the California Commission on Disability Access.
- Provide that the clerk of a court must allow access to limited civil case records, including the court file, index, and register of actions including in a case of a complaint involving the unlawful detainer of residential property to any other person only if judgment against all defendants has been filed for the plaintiff.

Related Legislation: The provisions contained in AB 325 (Ramos 2019-2020 Reg. Sess.), AB 3062 (Oberholte, 2019-2020 Reg. Sess.), and AB 3365 (Assembly Committee on Judiciary, 2019-2022 Reg. Sess.) were all incorporated into this bill.

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